

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**DAVID E. LEWIS**

**PETITIONER**

**VS.**

**CASE NO.: 5:14CV00367 KGB/BD**

**LARRY NORRIS, Interim Director,  
Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

Petitioner David E. Lewis has moved for a second time for leave to conduct discovery under Rule 6 of the Rules Governing § 2254 Cases. (Docket entry #11) In his motion, Mr. Lewis requests the Court provide him a complete copy of the trial transcript and transcript of post-trial proceedings so that he can abstract testimony he believes is pertinent to his claims.

Unlike in state court, here Mr. Lewis is not required to abstract testimony in order to proceed with his petition. Under Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, Respondent Norris has answered the petition and has furnished the Court with the complete trial transcript, a transcript of the post-conviction proceedings, and relevant appellate filings. The Court views these exhibits as relevant to the issues raised in the petition. If, after further review, the Court finds that other documents relevant to the issues raised in the petition are required, the Court will then order Director Norris to furnish those additional documents. For the present, however, Mr. Lewis's motion to conduct discovery (#11) is DENIED, without prejudice.

IT IS SO ORDERED this 5th day of December, 2014.

  
UNITED STATES MAGISTRATE JUDGE